

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:21-CR-00065-D-3

**United States of America,**

v.

**Luis Noe Prado-Martinez,**

Defendant.

**Order**

The United States has charged Luis Noe Prado-Martinez with conspiracy to distribute and possess with the intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine and 400 grams or more of fentanyl, as well as possession with intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine and 400 grams or more of fentanyl, and aiding and abetting. Superseding Indictment, D.E. 33.

The court set Prado-Martinez's arraignment for February 16, 2023. Hr'g Notice, D.E 155. Shortly before his arraignment, Prado-Martinez filed a motion for new counsel, believing his relationship with his attorney had irrevocably broken down. Mot. to Appoint New Counsel, D.E. 156. The court discussed this motion with Prado-Martinez and his attorney, William Finn, at the February 16 hearing and orally granted the motion (D.E. 156). *See* Minute Entry, D.E. 157. To memorialize the proceedings at the hearing, the court orders the following:

- The Federal Public Defender's office must appoint a new attorney to represent Prado-Martinez within seven days from the date this order issues. Finn's representation of Prado-Martinez will terminate once a new attorney is appointed.
- Prado-Martinez's arraignment is rescheduled for the March 27, 2023, term.

- The delay in continuing Prado-Martinez’s arraignment from February 16 to March 27 shall not be included in any Speedy Trial Act computation because “the ends of justice served by” continuing his arraignment “outweigh the best interest of the public and the defendant in a speedy trial.” 18 U.S.C. § 3161(h)(7)(A). A delay is necessary, considering the exercise of due diligence, to allow the newly appointed counsel a reasonable amount of time to prepare for the proceeding.

Dated: February 17, 2023

A handwritten signature in black ink, reading "Robert T. Numbers, II". The signature is written in a cursive, flowing style. The "R" is large and loops around the "o". The "T" is a simple vertical stroke. "Numbers" is written in a standard cursive, and "II" is at the end.

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Robert T. Numbers, II  
United States Magistrate Judge